REMARKS

The present application was filed on February 21, 2002 with claims 1 through 19. Claims 1 through 19 are presently pending in the above-identified patent application. Claims 1, 3, 5, 8, 12, and 18 are proposed to be amended and claims 4 and 7 are proposed to be cancelled, without prejudice, herein.

In the Office Action, the Examiner rejected claims 1-2 under 35 U.S.C. §103(a) as being unpatentable over Dudkiewicz (United States Publication No. 2005/0172318) in view of Buehl (United States Publication No. 2002/0104093) and Rui (United States Patent No. 7,028,325). Claims 3-7, 9, and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz, Buehl, and Rui and further in view of Abecassis (assumed to be United States Patent No. 6,408,128). Claims 8-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz in view of Rui. Claim 19 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz and Rui, and further in view of Abecassis.

Independent Claims 1, 5, 8, 12, 14 and 18

Independent claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Dudkiewicz in view of Buehl and Rui, independent claims 5, 12, and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz, Buehl, and Rui and further in view of Abecassis, and claims 8 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz in view of Rui. Regarding claim 1, the Examiner asserts that Dudkiewicz discloses the content digest comprising at least one of the content segments, wherein said importance level is a degree of importance (paragraphs [0022], [0149], and [0150]). The Examiner acknowledges that Dudkiewicz and Buehl fail to disclose that the content digest comprising at least two of the content segments sorted along a time axis based on said importance level, but asserts that Rui discloses this limitation in the sense that unimportant content is filtered out, that the next important segment in sequence is displayed.

Applicants note that independent claims 1, 5, 8, 12, and 18 have been amended to incorporate the limitations of claim 4. In particular, independent claims 1, 5, and 8 have been amended to variously require *wherein the client includes a user profile having user profile content scores for at least one viewed content segment for a user, and wherein the digest server calculates importance levels for the at least one viewed content segment based on a probability and based on a current determined content score for the at least one viewed content segment, a*

user profile content score for the at least one viewed content segment, or both the current determined content score and the user profile content score, <u>wherein the probability is determined from at least one of a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in the content segment</u>.

In rejecting claim 4, the Examiner asserted that Dudkiewicz discloses wherein the digest server calculates importance levels for the at least one rated content segment based on a probability and wherein the probability is determined from at least one of a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in the content segment (paragraphs [0149], [0150], [0021], [0026], [0077], [0082], and [0091]-[0093]).

Applicants note that Dudkiewicz teaches that "a desirability score for a programming event based on metadata category goodness of fit scores and viewer profile category preference scores." (Paragraph [0102]; see, also, paragraphs [0104]-[0105].) Applicants also note that Dudkiewicz teaches "confidence scores in a range from 1% to 100%." (Paragraph [0077].) The cited *confidence scores are associated with a list of matched categories*; Dudkiewicz does *not* disclose or suggest *importance levels based on a probability, wherein the probability is determined from a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in a content segment.*

Thus, Dudkiewicz, Buehl, Rui, and Abecassis, alone or in combination, do not disclose or suggest wherein the client includes a user profile having user profile content scores for at least one viewed content segment for a user, and wherein the digest server calculates importance levels for the at least one viewed content segment based on a probability and based on a current determined content score for the at least one viewed content segment, a user profile content score for the at least one viewed content segment, or both the current determined content score and the user profile content score, wherein the probability is determined from at least one of a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in the content segment, as variously required by independent claims 1, 5, 8, 12, 14, and 18, as amended.

<u>Dependent Claims 2-4, 6-7, 9-11, 13, 15-17 and 19</u>

Claims 2-4, 6-7, 9-11, 13, 15-17 and 19 are dependent on claims 1, 5, 8, 12, 14, and 18, respectively, and are therefore patentably distinguished over Dudkiewicz, Buehl, Rui, and Abecassis, alone or in combination, because of their dependency from amended independent

claims 1, 5, 8, 12, 14, and 18 for the reasons set forth above, as well as other elements these claims add in combination to their base claim. Claims 4 and 7 are proposed to be cancelled, without prejudice, herein.

All of the pending claims following entry of the amendments, i.e., claims 1-19, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

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